

1 **BENNINGTON SELECT BOARD**

2 **BENNINGTON FIRE FACILITY**

3 **130 RIVER STREET**

4 **BENNINGTON, VERMONT 05201**

5 **MAY 21, 2018**

6 **MINUTES**

7 **SELECT BOARD MEMBERS PRESENT:** Thomas Jacobs-Chair; Donald Campbell-Vice Chair; Jim Carroll;
8 Carson Thurber; Chad Gordon; Jeannie Jenkins and Jeanne Conner.

9 **SELECT BOARD MEMBERS ABSENT:** None.

10 **ALSO PRESENT:** Stuart Hurd-Town Manager; Dan Monks-Zoning Administrator and Assistant Town
11 Manager; Zirwat Chowdhury-Community Development Director; Lynn Green-Grow Bennington
12 Initiative Chairperson; John Shannahan-Bennington Downtown Alliance Executive Director; Pat
13 Kinney; Mike Bethel; Kayla Becker; Valerie Coulter-Catamount Connections; 6 citizens; Mike Cutler-
14 CAT-TV and Nancy H. Lively-Secretary.

15 **EXECUTIVE SESSION - BOARDS AND COMMISSIONS**

16 At 6:05pm, Chair Thomas Jacobs called the meeting to order.

17 **1. PLEDGE OF ALLEGIANCE**

18 Recited by all present.

19 **2. CONSENT AGENDA**

20 **A. MINUTES - MAY 14, 2018**

21 *Jim Carroll moved and Donald Campbell seconded the approval of the Minutes of May 14,*
22 *2018 as submitted. The motion carried unanimously.*

23 **3. CITIZENS COMMENTS**

24 Lynn Green, Grow Bennington Initiative Chairperson, stated that the banners and tree lighting
25 were winter projects and they will both be removed this spring. The tree lights - which cannot
26 remain because the arborists have said there is an issue with tree growth - will be removed on June
27 16, 2018 and reinstalled in October 2018. Work is being done to have up-lighting on at least some of
28 the trees. The banners will be removed at the end of June 2018 - to be replaced with American flags
29 for the 4th of July - and reinstalled in October 2018.

30 Ms. Green thanked the Town for all of their support, and the Board is very appreciative of the
31 Grow Bennington Initiative efforts.

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33 Pat Kinney asked if we had the permits for the salt shed, and Mr. Hurd answered that we have
34 the permits but we still have to pave the imprint to divert water away from the wetlands buffer and
35 paint it. It will be usable next winter.

36 Mr. Kinney asked about selling the Depot Street garage, and Mr. Hurd clarified that we are
37 taking RFP's at this time as to how potential new owners and/or lessors would utilize the building
38 only. The parking lot is not part of these agreements. Mr. Kinney noted that the parking lot will be
39 needed for the new Putnam Building, and also feels that the Town made a mistake building the new
40 Town Garage where they did. He thinks a better idea would have been to have torn down the facility
41 at Willow Road and put a new garage and salt shed at that location.

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43 Mike Bethel made the following comments:

- 44 • Requested that Mr. Monks stop bothering the ice cream lady about her music. Cars racing
45 up and down the street are far more disturbing.
- 46 • Requested that the voters vote against the Local Option Tax on June 5th. Mr. Jacobs stated
47 that there will be a Charter Amendment Informational meeting on June 4th.
- 48 • There will be another petition on the mayoral issue that will cover all of the concerns that
49 were expressed on the last one.
- 50 • Asked when the Board would have Bill Colvin at a meeting to talk about the Putnam Lot.
51 Mr. Jacobs noted that he hoped that Mr. Colvin would come before the Select Board and
52 the community with their plans as he did before.
- 53 • Update the public on the status of TIF. Mr. Jacobs explained that the TIF is "a tool", and
54 until we actually have the Putnam project - or any other project in the TIF district - the
55 Town can't vote on it. Mr. Hurd added that there is no need for any infrastructure
56 improvements for Phase I of the Putnam project. Infrastructure improvements will come
57 with Phase II, if that ever comes to fruition. The amount of the bond that the voters vote
58 on is determined by the scope of the project and what the voters will support. Mr. Gordon
59 clarified that TIF is only for the infrastructure needs of a project, and not available to private
60 investors. Mr. Bethel stated that St. Albans were successful by the town initiating the TIF
61 project, and Ms. Conner noted that "that is only one way and doesn't mean that we won't
62 be successful".
- 63 • Reorganize the BSB agendas so "people's business" and the Manager's Report are at the
64 beginning of the meetings. Mr. Jacobs noted that this has been discussed.

65 **4. APPOINTMENTS TO BOARDS AND COMMISSIONS**

66 *Donald Campbell moved and Carson Thurber seconded to re-appoint Charles Copp and Barry*
67 *Horst to the Development Review Board. The motion carried with Thomas Jacobs abstaining.*

68 *Donald Campbell moved and Carson Thurber seconded to re-appoint Kristi Pepon and to*
69 *appoint Paul Walden to the Housing Authority for five year terms. The motion carried with Thomas*
70 *Jacobs abstaining.*

71 Mr. Hurd added that there is one open position on the Board of Listers that will probably be
72 filled on June 11th and one open position on the Regional Commission with no applicants at this time.

73 **5. GROW BENNINGTON INITIATIVE PRESENTATION**

74 Zirwat Chowdhury, Community Development Director, did the following presentation on the
75 planning and fundraising for an interactive water feature and other improvements at Merchants Park:

- 76 • Merchants Park is a .34 acre lot just north of the Four Corners that was donated to the Town
77 by Merchants Bank in 2014.
- 78 • It is presently an open lawn area that has been used for concerts, movie screenings, and The
79 Farmers Market.
- 80 • The Park is part of the Bennington Downtown Alliance's SPARC program. The location has
81 easy access from both residential and commercial properties with the plan to include a water
82 feature, as do all of the SPARC initiatives.
- 83 • The definition of a splash pad is "a flush mountain of fountains that can be turned off when
84 space is occupied for other use" and should be thought of as "an interactive water fountain"
85 for all to enjoy. The water can either come in and go out or it can be recycled.
- 86 • Physical and visual barriers would be part of the plan to separate the Park from the nearby
87 traffic.
- 88 • None of the communities around the world that have implemented a water feature have
89 regretted doing so.
- 90 • Ms. Green added that the key to how much we can do depends on how much money we can
91 raise through grass roots efforts so the Park may be done in phases.
- 92 • Kayla Becker stated that the Catamount Connections had received a grant for \$150,000 to
93 help children and families thrive that needs to be used by December 31, 2018. A donation of
94 \$27,000 for the splash pad was within the programming requirement of the grant. The
95 balance of the grant was to be used for the opening of Catamount Connections, staffing, and
96 additional programming.

97 Board comments/questions:

98 Mr. Jacobs: How much will this cost the taxpayers to build and maintain? Ms. Chowdhury answered
99 that payment will come from grants and fundraising, and not from the taxpayers. The total cost is
100 not known at this time and will depend on how elaborate we can afford to be with the features.

101 Mr. Jacobs: Are we locked into the name? Mr. Hurd responded that we are not. The name of the
102 park and/or features can be named for a certain amount of time based on the amount of a donation.

103 Mr. Jacobs: Mentioned how special the Grow Bennington Initiative is and how can people donate?
104 Ms. Green stated at gofundme.com/growbenningtoninitiative or contact Ms. Green or Mr.
105 Shannahan through the Bennington Downtown Alliance website.

106 Mr. Thurber: Thanked Ms. Chowdhury for the definition of a water park and stated that
107 conversations need to take place as to the long term dollars that will be required to maintain the park
108 once built.

109 Mr. Thurber: Requested an update on 336 from Mr. Shannahan, and Mr. Shannahan stated that he
110 has been working with Steve Tatro with a start date to yet be determined. All the funds needed for
111 the project have been raised, and if there is any excess, they will be donated to the Merchant Park
112 project. An update will be a future agenda item or within the Manager's Report.

113 Ms. Conner: Stated that the splash pad will be "phenomenal" for the special education and disability
114 population.

115 Mr. Carroll: Strongly supports the idea and feels that it will be enjoyed by adults and children, alike.

116 Mr. Campbell: Thanked Ms. Chowdhury for the presentation and feels that the Park as presented will
117 fit into the ambiance of the downtown, and commended her on her ability to pull together
118 partnerships.

119 Ms. Jenkins: Have the different phases of construction been established? Ms. Green answered that
120 they will know more on that when they see what Jeff Goldstone has come up with for a design, as
121 well as, how the fundraising progresses. Mr. Goldstone is aware of the time constraints that exist,
122 especially with the Catamount Connections grant.

123 Mr. Gordon: Commended all involved for their partnership relationship and appreciates that they
124 "look for the opportunity in every obstacle that comes up instead of the obstacle in every
125 opportunity".

126 **6. MANAGER'S REPORT**

127 Mr. Hurd reported the following:

- 128 • The FY19 Water and Sewer Budget meeting will be held on June 2nd.
- 129 • The Board received information on refurbishing the 16-year old Community Built Park for
130 discussion at a later date.
- 131 • A Liquor License Application for Janki, LLC was circulated for signatures. They have purchased
132 Dee's Market on East Road.

133 *Jim Carroll moved and Chad Gordon seconded to allow Jeffrey Cameron and Robyn Boland*
134 *permission to close a portion of Cyr Court/Filmore Street/Harbour Road on August 18, 2018 from*
135 *5:30pm until 11:30pm for a block party to celebrate the renewal of their wedding vows.*

136 Mr. Jacobs thinks this is "great", however, is concerned that there may be a precedent set
137 should there be a similar request in the future because there are issues with road closures.

138 This couple have invited all of the neighbors, access will be provided for emergency vehicles
139 with parking planned off-site with a shuttle to carry participants to and from the party. Mr. Campbell
140 suggested that a policy be adapted for this type of request with at least the same expectations as
141 were expressed here.

142 *The motion carried unanimously.*

143 **7. OTHER BUSINESS**

144 Mr. Gordon would like adult activities to be considered in the planning of the parks.

145 Mr. Campbell reminded everyone of the upcoming Select Board schedule:

- 146 ➤ No meeting on Monday, May 28th.
- 147 ➤ FY19 Water Resources Budgets meeting at 8:00am or 9:00am-12:00pm on Saturday,
148 June 2nd. All questions should be directed to Mr. Hurd and not the Board.
- 149 ➤ Charter Informational Meeting at 6:00pm on Monday, June 4th.
- 150 ➤ Regularly scheduled Board Meeting at 6:00pm on Monday, June 11th.

151 Mr. Jacobs asked about the opening of Carmody's, and Mr. Carroll answered that they need to
152 finish the interior and are pushing hard to open soon.

153 8. EXECUTIVE SESSION

154 A. LITIGATION

155 *At 7:22pm, Jim Carroll moved and Donald Campbell seconded finding that an Executive*
156 *Session be held on Litigation as premature public knowledge would place a person involved in the*
157 *subject matter at a substantial disadvantage. The motion carried unanimously.*

158 Respectfully submitted,

159 Nancy H. Lively

160 Secretary